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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/822,723	04/13/2004	Wilson Wai Sing Leung	403045	5511

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EXAMINER

HAROLD, JEFFEREY F

ART UNIT PAPER NUMBER

2646

DATE MAILED: 03/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/822,723

Applicant(s)

LEUNG, WILSON WAI SING

Examiner

Jefferey F. Harold

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. ***Claims 1, 2, and 4-6*** are rejected under 35 U.S.C. 102(b) as being anticipated by Tunstall (United States Patent 6,240,181).

Regarding **claim 1**, Tunstall discloses a remotely controlled speaker phone. In addition Tunstall discloses a telephone apparatus comprising: a telephone having a built-in keypad and an internal operating circuit including a control circuit connected with the keypad for accepting keying signals from the keypad of the telephone to process a telephone call; a remote controller separate from the telephone, including a built-in keypad for generating keying signals and an internal signal transmitter for transmitting the keying signals from the keypad of the remote controller wirelessly; and a signal receiver located in the telephone and connected to the control circuit for receiving the wireless keying signals from the signal transmitter and relaying the wireless keying signals to the control circuit for processing of a telephone call, as disclosed at column 2, lines 7-64 and exhibited in figures 1 and 2.

Regarding **claim 2**, Tunstall discloses everything claimed as applied above (see claim 1), in addition, Tunstall discloses wherein the signal receiver and the keypad of

the telephone are separately connected directly to the control circuit for alternative independent use, as disclosed at column 2, lines 7-64 and exhibited in figures 1 and 2.

Regarding **claim 4**, Tunstall discloses everything claimed as applied above (see claim 1), in addition, Tunstall discloses wherein the telephone includes a speaker and a microphone connected to the control circuit for operation, and the keypad of the remote controller includes a key for activating the telephone in a speakerphone mode, as disclosed at column 2, lines 7-64 and exhibited in figures 1 and 2.

Regarding **claim 5**, Tunstall discloses everything claimed as applied above (see claim 1), in addition, Tunstall discloses wherein the signal transmitter and the receiver communicate by infrared signal, as disclosed at column 2, lines 7-64 and exhibited in figures 1 and 2.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 3** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tunstall in view of Tischler (United States Patent 6,856,817).

Regarding **claim 3**, Tunstall discloses everything claimed as applied above (see claim 1), in addition Tunstall discloses wherein the keypad of the remote controller comprises a first key for activating the telephone, a second key for deactivating the telephone, as disclosed at column 2, lines 7-64 and exhibited in figures 1 and 2,

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however, Tunstall fails to disclose "0" to "9", "\*" and "#" keys for dialing purposes.

However, the examiner maintains that it was well known in the art to provide "0" to "9", "\*" and "#" keys for dialing purposes, as taught by Tishler.

In a similar field of endeavor Tischler discloses a cordless telephone headset with dialcard display. In addition, Tischler discloses a cordless telephone controlled by an unattached handheld control module (200). Further, Tischler discloses a keypad (210) comprising of keys "0" to "9", "\*" and "#" keys for dialing purposes, as disclosed at column 3, lines 16-40 and exhibited in figure 5.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tunstall by specifically providing "0" to "9", "\*" and "#" keys for dialing purposes, as taught by Tischler for the purpose of wirelessly controlling the cordless phone.

3. **Claim 6** is rejected under 35 U.S.C. 103(a) as being unpatentable over Tunstall in view of well known prior art (MPEP 2144.03).

Regarding **claim 6**, Tunstall discloses everything claimed, as applied above, (see claim 1), however, Tunstall fails to disclose wherein the telephone comprises a telephone base and a cordless handset housing respective operating circuits, the handset including the keypad of the telephone, the control circuit and the signal receiver. However, the examiner takes official notice of the fact that it was well known in the art to provide wherein the telephone comprises a telephone base and a cordless

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handset housing respective operating circuits, the handset including the keypad of the telephone, the control circuit and the signal receiver.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tunstall by specifically providing wherein the telephone comprises a telephone base and a cordless handset housing respective operating circuits, the handset including the keypad of the telephone, the control circuit and the signal receiver, for the purpose of providing untethered use of the telephone equipment.

#### ***Citation of Pertinent Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ramillard (United States Patent 5,561,709), discloses an apparatus and method for electronic device for information services;

Kaschke (United States Patent 6,044,153), discloses a hand adaptive telephone.

#### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jefferey F. Harold whose telephone number is 571-272-7519. The examiner can normally be reached on Monday - Friday 9 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh H. Tran can be reached on 571-272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jefferey F Harold  
Primary Examiner  
Art Unit 2646



JFH  
February 23, 2006